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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,064	11/06/2001	Martha A. Wild	SY01106KQB	1051
24265	7590	02/08/2005	EXAMINER	
SCHERING-PLOUGH CORPORATION PATENT DEPARTMENT (K-6-1, 1990) 2000 GALLOPING HILL ROAD KENILWORTH, NJ 07033-0530			LUCAS, ZACHARIAH	
			ART UNIT	PAPER NUMBER
			1648	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/994,064	WILD ET AL.	
	Examiner	Art Unit	
	Zachariah Lucas	1648	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 15 April 2004 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.


c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

In addition, the claims of the Amendment have been renumbered for the purposes of allowance (See attached copy of claims).


JAMES HOUSEL 2/7/05
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1600

Amendments to the Claims

The listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims

Claims 1-38 and 44 (cancelled)

¹
~~39~~. (previously presented) An isolated nucleic acid molecule encoding a polypeptide comprising the amino acid sequence of SEQ ID NO: 11.

²
~~40~~. (currently amended) The isolated nucleic acid molecule of claim ¹~~39~~, wherein the isolated nucleic acid molecule is ~~genomic DNA comprising~~ comprises the nucleotide sequence of SEQ ID NO:10.

³
~~41~~. (previously presented) The isolated nucleic acid molecule of claim ¹~~39~~, wherein the isolated nucleic acid molecule is cDNA.

⁴
~~42~~. (previously presented) An isolated RNA molecule that corresponds to the isolated nucleic acid molecule of claim ¹~~39~~.

⁵
~~43~~. (previously presented) The isolated nucleic acid molecule of claim ¹~~39~~, operatively linked to a regulatory element.

⁶
~~45~~. (previously presented) A recombinant DNA molecule encoding a polypeptide comprising the amino acid sequence of SEQ ID NO: 11.

⁷
~~46~~. (currently amended) The recombinant DNA molecule of claim ⁶~~45~~, wherein the ~~DNA comprises genomic DNA~~ comprising the nucleotide sequence of SEQ ID NO:10.

⁸
~~47~~. (previously presented) The recombinant DNA molecule of claim ⁶~~45~~, wherein the DNA is operatively linked to a regulatory element.

⁹
48. (previously presented) The recombinant DNA molecule of claim ⁶ 45, wherein the recombinant DNA molecule further comprises DNA encoding infectious laryngotracheitis virus glycoprotein I.

¹⁰
49. (previously presented) A host cell comprising the recombinant DNA molecule of claim ⁶ 45.

¹¹
50. (previously presented) A host cell comprising the recombinant DNA molecule of claim ⁹ 48.

¹²
51. (new) A method of diagnosing an infection due to infectious laryngotracheitis virus which comprises: (a) obtaining a nucleic acid molecule from a suitable bodily fluid of a subject; (b) contacting the nucleic acid molecule with the labeled nucleic acid molecule of claim ¹ 30 under hybridizing conditions; and (c) determining the presence of the nucleic acid molecule hybridized, the presence of which is indicative of infectious laryngotracheitis virus glycoprotein D in the subject, and thereby diagnosing an infection due to infectious laryngotracheitis virus.